

REMARKS

Claims 1, 21, 34, 42, 50, 57, 71-73, and 75 are amended, claims 6-15, 26-31, 39-41, 47-49, 53-54, 64-70, 74, and 76-79 are canceled in this response, and claims 80-105 are added; as a result, claims 1-5, 16-25, 32-38, 42-46, 50-52, 55-63, 71-73, 75, and 80-105 are now pending in this application.

No new matter has been added through new claims 80-105. Support for new claims 80-105 may be found throughout the specification, including but not limited to the specification on page 12 at line 17, and on page 15 at lines 3-8.

§103 Rejection of the Claims

Claims 1-5, 16-25, 32-38, 42-46, 50-52, 55-59 and 62-63 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Berger et al. (U.S. 6,414,693 B1) in view of Bornstein (U.S. 6,144,388).

Independent claims 1, 21, 34, 42, 50, and 57 have been amended to include claimed subject matter which the Final Office Action has indicated as being objected to but allowable if rewritten in independent form including all of the claimed subject matter of the base claim and any intervening claims.

For example, claim 1 has been amended to include, "the automatic generation of the composite image including placing the second image onto the first image according to a warp ratio," which is the claimed subject matter of claim 70. Claim 70 is indicated on page 10 of the Final Office Action as being objected to as depending from a rejected base claim, but "would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." Applicants submit that claim 70 depended directly from claim 1, and thus the amendment to claim 1 effectively meets the requirements of rewriting claim 70 in independent form including all of the limitations of the base claim (claim 1) and any intervening claims.

Thus, Applicants submit that claim 1 as amended is allowable over the proposed combination of Berger et al. and Bornstein, and respectfully request withdrawal of the rejection,

and reconsideration and allowance of claim 1, and claims 2-5 and 16-20, that depend from claim 1.

In further examples, claim 21 has been amended to include the claimed subject matter of claim 74, claim 34 has been amended to include the claimed subject matter of claim 76, claim 42 has been amended to include the claimed subject matter of claims 77 and 78, and claim 50 has been amended to include the claimed subject matter of claim 79.

The claimed subject matter in each of claims 74, 76, 78, and 79 has been indicated in the Final Office Action on page 10 as objected to as depending from a rejected base claim, but "would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." Because this allowable subject matter has now been included in claims 21, 34, 42, and 50, Applicants respectfully submit that claims 21, 34, 42, and 50 are allowable over the proposed combination of Berger et al. and Bornstein. Therefore, Applicants respectfully request withdrawal of the rejection, and reconsideration and allowance of claims 21, 34, 42, and 50.

Claims 22-25 and 32-33 depend from claim 21. Claims 35-38 depend from claim 34. Claims 43-46 depend from claim 42. Claims 51-52 and 55-56 depend from claim 50. For at least the reasons stated above with respect to claims 21, 34, 42, and 50, claims 22-25, 32-33, 35-38, 43-46, 51-52, and 55-56 are allowable over the proposed combination of Berger et al. and Bornstein. Therefore, Applicants respectfully request withdrawal of the rejection, and reconsideration and allowance of claims 22-25, 32-33, 35-38, 43-46, 51-52, and 55-56.

In a further example, claim 57 has been amended to include, "and including placing the second image onto the first image according to a warp ratio." Applicants submit that this amendment to claim 57 includes the addition to claim 57 of subject matter indicated in the Final Office Action as allowable subject matter, and so claim 57 is also allowable over the proposed combination of Berger et al. and Bornstein. Therefore, Applicants respectfully request withdrawal of the rejection, and reconsideration and allowance of claim 57, and claims 58-59 and 62-63 that depend from claim 57.

Allowable Subject Matter

Claims 70-76 and 78-79 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As noted above, the subject matter of claims 70, 74, and 76-79 has been included in the respective claims from which these claims depended. Therefore, claims 70, 74, and 76-79 are cancelled.

Claims 71-73 have been amended to depend from claim 1. Because Applicants believe that claim 1 is now allowable, Applicants submit that claims 71-73 are also allowable.

Claim 75 has been amended to depend from claim 21. Because Applicants believe that claim 21 is now allowable, Applicants submit that claim 75 is also allowable.

Further, new claims 80-105 depend from one of claims 1, 21, 34, 42, 50, or 57. Thus, Applicants believe that claims 80-105 are also allowable.

Applicants respectfully request notification that claims 71-73, 75, and 80-105 are allowed.

Reservation of Rights

Applicants do not admit that references cited under 35 U.S.C. §§ 102(a), 102(e), 103/102(a), or 103/102(e) are prior art, and reserve the right to swear behind them at a later date. Arguments presented to distinguish such references should not be construed as admissions that the references are prior art.

CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney 408-278-4042 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

LARRY LUNETTA ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

P.O. Box 2938

Minneapolis, MN 55402

408-278-4042

Date 06/26/06

By 

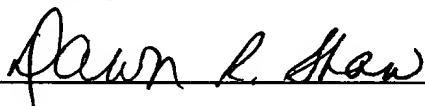
Andre L. Marais

Reg. No. 48,095

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop RCE, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 26 June, 2006.

Dawn R. Shaw

Name



Signature